McBay v. Harrison County, Mississippi, by and through its Board of Supervisors, et al

Videotaped deposition of: Morgan Lee Thompson

August 14, 2009

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## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI Southern Division

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

GARY BRICE McBAY,

Plaintiff,

v. \* Civil Action No.

HARRISON COUNTY, MISSISSIPPI \* 1:07CV1205-LG-RHW

BY AND THROUGH ITS BOARD OF

SUPERVISORS, et al.,

Defendants. \*

COPY

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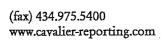
VIDEO-RECORDED DEPOSITION OF

MORGAN THOMPSON

August 14, 2009 11:48 a.m. - 12:45 p.m.

Hopewell, Virginia

REPORTED BY: Kurt D. Hruneni, CCR-VA





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-1	Q All right. And then that's when you had .		
2	problems and what happened you say one thing, the		
3	report says another thing. Whatever happened, happened		
4	in the shower.		
5	A Uh-huh.		
6	Q Outside of the camera.		
7.	A I was punched. Right.		
8	Q Yeah.		
9	A On the left side of the head.		
10	Q And Brice was punched by you.		
11	A After punching me twice. Yes.		
12	Q And how many times did you punch him?		
13	A Probably two or three times.		
14	Q And then you brought him out of the		
15	shower		
16	A Yes, sir.		
17	Q after you punched him?		
18 .	A Yes, sir.		
19	Q And what did you do with him at that point?		
20	A Put him in a holding cell.		
21	Q Okay. Now, you would wear a hat while you		
22	were on duty at times, wouldn't you?		
23	A Yes, sir.		
24	Q All right. What is the significance, for		
25	you, when you have your hat on forward or when you turn		

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-	0		
1	Q	Without cameras.	
2	A	Yes, sir.	
3	Q	You hit Brice in the face. You admit that.	
4	A	Yes, sir.	
5	Q	You got teased by a lot of the other	
6	booking officers about hitting inmates in the face;		
7	didn't you?	1	
8	A	Yes, sir.	
9	Q	All right. The whole red light/green light	
10	thing?		
11	A	Yes, sir.	
12	Q	Tell us about that.	
13	A	Simple. They would say red light's the	
14	face, green	light at the motor points. And they said I	
15	always went	on the red light. And McBay was a big	
16	reason for	that.	
17	Q	And the booking officers teased you because	
18	of well,	we've already covered that. You got teased	
19	for hitting	inmates in the face.	
20	А	Because I gave him a black eye.	
21	Q	And red light means anything that clothes	
22	can cover,	that you can't see. No. Wait. I think I	
23	got that ba	ckwards.	
24		Red light is when you hit them in the face	
25	and it leav	es a mark people can see; is that right?	

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		1 460 0
1	71	We were doing 10- to 12-hour shifts
	A	We were doing 10- to 12-hour shifts.
2	Q	How many days a week?
3	A	Any where from five to six days a week.
4	Q	And if you were adequately staffed, how
5	many hours	would you be working?
6	· A	Probably 40, 45 hours a week.
7		MR. BRENDEL: That's all the questions I
8	have.	
9		
10	F U	RTHER EXAMINATION
11		BY MR. BUCHANAN:
12	Q	Just a couple of follow-ups.
13		You said you took him into the shower, you
14	turned away	. And when you turned away, he hit you, and
15	that surpri	sed you.
16	А	Yeah.
17	Q	All right. And then hit you again?
18	A	Uh-huh.
19		MR. BRENDEL: You have to say yes or no.
20		THE WITNESS: Yes, yes. I'm sorry.
21		MR. BRENDEL: You have to say yes or no.  THE WITNESS: Yes, yes. I'm sorry.  BY MR. BUCHANAN:
22		BY MR. BUCHANAN:
23	Q	And then you had no choice, once he hit you
		_
24	_	to hit him with a closed fist to the face.
25	A	Yes, sir.
1		43